

REMARKS

Applicant respectfully traverses the rejection.

As it can be seen in Figure 1 of Lane, the line "F.B.W.", meaning "Foil Born Waterline" (see column 7, lines 57-61), and defines how the watercraft travels with respect to the waterline, i.e., whether the bottom of the hull of the watercraft is out of the water, on the water, partially in the water, etc. The watercraft of Lane is of the hydrofoil type. When in the planning mode the hull of Lane is completely out of the water, as shown by the F.B.W. Lane is not a planing or semi-planing watercraft. In contrast, Claim 15 of the present application defines a planing watercraft with a fully planing or semi-planing bottom; see, for example, Figure 2 of the present application, where the waterline is indicated at 8. A fully planing or semi-planing watercraft is different than a hydrofoil craft in design, purpose and operation.

Figures 16 to 21 of Lane show different embodiments (240, 340, 440) of the additional hydrofoil 40 of Figure 1. This is clear from Claims 1-6 and 10 of Lane that Lane's invention is directed to the stern hydrofoils in combination with the midship hydrofoils. See also column 8, lines 56ff. The midship hydrofoils 40 of Figure 1, which are fixed, can be replaced by retractable embodiments described as 240, 340, 440 in Figs. 16-21. However, it is not stated in Lane that the watercraft described in Lane can travel without the stern hydrofoils. This would be in contradiction with the meaning of Lane.

The hydrofoils 40, 240, 340, 440 of Lane cannot work alone, but rather work in combination with the stern hydrofoils 90 and 92 (and 90', 92'). This is clear from Lane throughout the description and the claims. In other words, the stern hydrofoils are a required element of Lane. In contrast, Claim 15 of the present invention does not require such stern hydrofoils.

Moreover, in the FBW travel trim the barycenter or center of gravity has necessarily to be between the midship hydrofoils (40, 240, 340, 440) and rear hydrofoils (90, 92, 90', 92'), otherwise the watercraft tilts. This means that the midship hydrofoils cannot be under the barycenter, as provided by Claim 15 of the present application. This is clear also from the position of the midship hydrofoils in Figures 16 and 19 of Lane, where the barycenter is much more to be found about at 1/4 or 1/3 of the boat starting from the stern, depending on the weight of the motors with respect to the hull.

The embodiments of Figures 16-21 teach away from Claim 15 of the present application. One reason why the midship hydrofoils (240, 340, 440) of Lane are retractable is that they do not cause high "draft and drag", in normal non-hydrofoil travel.

In Claim 15 of the present application the transversal element creates a lifting force in a fully planing or semi-planing craft. In contrast, in Lane the presence of the midship hydrofoils (240, 340, 440) is undesirable, unless the boat travels in the FBW trim. So, in normal travel (not hydrofoil-like), the midship hydrofoils are retracted.

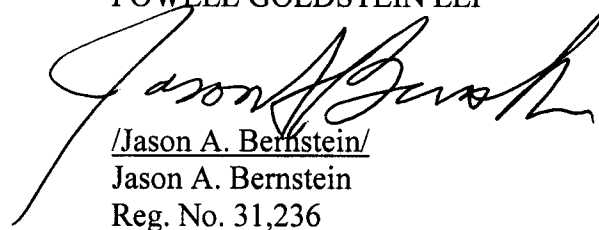
Therefore, Applicant respectfully submits that Lane does not anticipate Claim 15 of the present application.

CONCLUSION

Applicant submits that the patent application is in condition for allowance and respectfully requests such action. If the Examiner has any questions that can be answered by telephone, please contact the patent attorney of record at the telephone number listed below.

Respectfully submitted,

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